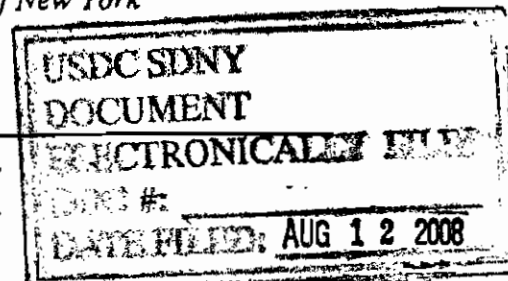


U.S. Department of Justice



United States Attorney  
Southern District of New York



The Silvia J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 10, 2008

**BY FACSIMILE**

The Honorable Laura Taylor Swain  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Rm. 755  
New York, New York 10007

**MEMO ENDORSED**

Re: United States v. Yusef Green  
07 Cr. 1041 (LTS)

Dear Judge Swain:

The Government respectfully submits this letter in connection with the suppression hearing that is currently scheduled before Your Honor on August 13, 2008. The Government currently plans to call five witnesses. In preparing for the hearing last week, the Government learned that two, and possibly three, of its intended witnesses are unavailable next week: one of the witnesses has a conflicting State court date, which the Government is attempting to resolve; another witness is away on vacation; and a third witness is on sick leave.

I discussed this matter late last week with defense counsel Joyce London, Esq. Based on these discussions, the parties respectfully propose that the Government put on its available witnesses as scheduled, and request that the Court continue the

Honorable Laura Taylor Swain  
August 10, 2008  
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hearing at a later date to allow testimony from the remaining  
Government witnesses.

Thank you for your consideration of this request.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By: Thomas G.A. Brown  
Thomas G. A. Brown  
Assistant United States Attorney  
(212) 637-2194

cc: Joyce London, Esq. (defense counsel) (via facsimile)

The request is granted. The hearing will commence on  
August 13, 2008 at 10:00AM and will be continued as necessary.

SO ORDERED.

LAURA TAYLOR SWAIN 8/11/08  
UNITED STATES DISTRICT JUDGE